

04-12291  
USDC-MABO  
J. Harrington

**MANDATE**

**United States Court of Appeals  
For the First Circuit**

No. 04-2694

CHRISTOPHER HUNT,  
Plaintiff, Appellant,

v.

KIMBERLY HINDEN, REGISTRY OF MOTOR VEHICLES,  
Defendant, Appellee.

Before

Selya, Lynch and Lipez,  
Circuit Judges.

JUDGMENT

Entered: March 25, 2005

We have reviewed the record in this case and the appellant's response to this court's January 18, 2005 show cause order. This is an interlocutory appeal in which the only question before us is whether the district court erred in denying appellant's motion for a preliminary injunction. Appellant's response to the show cause order failed to argue that the balance of the harms favored the issuance of an injunction. While he did argue that he would suffer irreparable harm in the absence of an injunction, he failed to address any harm that would be suffered by the public or to show that the balance of the harms weighed in his favor. Accordingly, he has forfeited the argument, and the order denying his request for a preliminary injunction should be affirmed.

Additionally, we find that Hunt has failed to show a strong likelihood of success on the merits of his appeal from the denial of his motion for preliminary injunction. At this point, he has not shown he has exhausted the state remedies available to him, and in particular, he has not shown that he has sought reinstatement of

his license at any time since January 1, 2005, as allowed by the Board of Appeal's order of July 22, 2004.

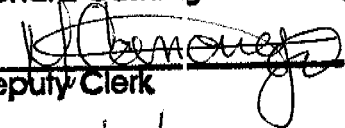
The district court's order of November 18, 2004 is hereby affirmed. See 1st Cir. R. 27(c).

By the Court:

Richard Cushing Donovan, Clerk.

**Certified and Issued as Mandate  
under Fed. R. App. P. 41.**

**Richard Cushing Donovan, Clerk**

  
**Deputy Clerk**

**Date:** 4/15/05

By: \_\_\_\_\_

**JULIE GREGG**

Operations Manager.

[cc: Robert W. Hagopian, Esq., Erin Deveney, Juliana deHann Rice,  
Victoria S. Cole ]